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Attorneys for Third Party Defendant
CHASE MICHAEL CAIMI

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICHARD MELCHIORRE, an individual

Plaintiffs,

vs.

CHASE MICHAEL CAIMI, an individual; KO
TRANSPORTATION, INC., a Utah
Corporation; DOES 1 through 10, inclusive;
and ROE BUSINESS ENTITIES 1 through
10, inclusive,

Defendants.

Case No. 2:24-cv-01411-CDS-DJA

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES (FIRST
REQUEST)**

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case by Ninety (90) days. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Order, the parties state as follows:

1. On June 26, 2024, Plaintiff filed her Complaint in the Eight Judicial District Court in Clark County, Nevada.
2. On August 1, 2024, Defendant KO TRANSPORTATION, INC. removed this matter to the United States District Court, District of Nevada.
3. On October 11, 2024, Plaintiff filed his Amended Complaint.

1 4. On October 14, 2024, Defendant KO TRANSPORTATION, INC. filed its
2 answer to Plaintiff's Amended Complaint.

3 5. On October 16, 2024, Defendant CHASE MICHAEL CAIMI filed his answer
4 to Plaintiff's Amended Complaint.

5 **DISCOVERY REMAINING**

6 1. Defendant KO TRANSPORTATION has served written discovery on
7 Plaintiff.

8 2. Plaintiff has served written discovery on Defendants.

9 3. Plaintiff has responded to written discovery.

10 4. Defendants are still within the time allotted to respond to the written
11 discovery requests from Plaintiff.

12 5. The Defendants will take the deposition of Plaintiff Richard Melchiorre.

13 6. Plaintiff may depose the Defendant KO TRANSPORTATION'S Rule
14 30(b)(6) designee(s).

15 7. Plaintiff may depose Defendant CHASE MICHAEL CAIMI.

16 8. Defendants may depose Plaintiff's medical and/or mental health providers
17 once able to collect any and all relevant medical and/or mental health
18 records and billing.

19 9. The parties may depose any expert witnesses that are identified and
20 disclosed

21 9. The parties may depose any and all other witnesses identified through
22 discovery.

23 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

24 The parties claim, pursuant to Local Rule 26-3, that good cause exists for the
25 requested extension. This Request for an extension of time is not sought for to delay the
26 proceedings or for any improper purpose.

27 Defendant CHASE MICHAEL CAIMI entered into this litigation, filing its Answer on
28 October 16, 2024. At the time, Defendant CHASE MICHAEL CAIMI entered this case, the

1 discovery deadlines were already set in this matter. Mr. CAIMI is imprisoned in Utah on an
2 unrelated charge, which makes it extremely difficult to communicate with him. Indeed
3 counsel traveled to Utah and twice attempted to confer with Mr. CAIMI, but was unable to
4 do so due to his criminal case scheduling. Due to the severity of the subject incident
5 allegedly resulting in over Nine Hundred Thousand Dollars in past medical specials and
6 claims of additional future medical specials, the materials and plethora of information and
7 documents involved with this matter, and the timing of all named parties making their
8 appearance in this matter, it is necessary for an extension of the discovery deadlines in
9 order to allow each party a fair and just opportunity to obtain the information, analyze the
10 information, and obtain experts as may be necessary in order to properly prosecute or
11 defend this matter. Additionally, the parties plan to attempt to resolve this matter using
12 means of alternate dispute resolution.

13 For those reasons, the parties respectfully request an extension of the discovery
14 deadlines in this matter.

15 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3
16 governs modifications or extension of the Discovery Plan and Scheduling Order. Any
17 stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must
18 be made no later than twenty-one (21) days before the expiration of the subject deadline
19 and must comply fully with LR 26-3.

20 This is the first request for extension of time in this matter. The parties respectfully
21 submit that the reasons set forth above constitute compelling reasons and good cause for
22 the extension.

23 The following is a list of the current discovery deadlines and the parties' proposed
24 extended deadlines:

25 ///

26 ///

27 ///

28 ///

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>May 1, 2025</i>	<i>Wednesday July 30, 2025</i>
Deadline to Amend Pleadings or Add Parties	<i>January 31, 2025</i>	<i>Thursday May 1, 2025</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>March 3, 2025</i>	<i>Monday June 2, 2025</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>April 2, 2025</i>	<i>Tuesday July 1, 2025</i>
Dispositive Motions	<i>June 3, 2025</i>	<i>Monday September 1, 2025</i>
Joint Pretrial Order	<i>July 3, 2025</i>	<i>Wednesday October 1, 2025</i> <i>If dispositive motions are pending, the parties will submit their Joint Pretrial Order within thirty (30) days of the Court's order as to any dispositive motions.</i>

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WHEREFORE, the parties respectfully request this Court extend the discovery period by ninety (90) days from the current deadline of May 1, 2025 up to and including July 30, 2025, and extend the other dates as outlined in accordance with the table above.

IT IS SO STIPULATED.

<p>DATED the 7th day of January, 2025.</p> <p>RALPH A. SCHWARTZ, P.C.</p> <p><u>/s/ Ralph A. Schwartz</u></p> <p>RALPH A. SCHWARTZ, ESQ. Nevada Bar No. 5488 400 South Seventh Street, Suite 100 Las Vegas, Nevada 89101 Attorney for Plaintiff RICHARD MELCHIORRE</p>	<p>DATED the 7th day of January, 2025.</p> <p>LEWIS BRISBOIS BISGAARD & SMITH, LLP</p> <p><u>/s/ Josh Cole Aicklen</u></p> <p>JOSH COLE AICKLEN Nevada Bar No.: 7254 NATHANIEL T. COLLINS Nevada Bar No.: 15027 6385 S. Rainbow Blvd., Ste. 600 Las Vegas, Nevada 89118 Attorneys for Defendant CHASE MICHAEL CAIMI</p>
<p>DATED the ____ day of January, 2025.</p> <p>WINNER & BOOZE</p> <p><u>/s/</u></p> <p>CHRISTINE M. BOOZE, ESQ. Nevada Bar No. 7610 1117 South Rancho Drive Las Vegas, Nevada 89101 Attorney for Defendant KO TRANSPORTATION, INC.</p>	

ORDER


IT IS SO ORDERED.

Dated this _____ day of _____, 2025.

UNITED STATES DISTRICT COURT JUDGE

WHEREFORE, the parties respectfully request this Court extend the discovery period by ninety (90) days from the current deadline of May 1, 2025 up to and including July 30, 2025, and extend the other dates as outlined in accordance with the table above.

IT IS SO STIPULATED.

<p>DATED the ____ day of January, 2025.</p> <p>RALPH A. SCHWARTZ, P.C.</p> <p>/s/</p> <p>RALPH A. SCHWARTZ, ESQ. Nevada Bar No. 5488 400 South Seventh Street, Suite 100 Las Vegas, Nevada 89101 Attorney for Plaintiff RICHARD MELCHIORRE</p>	<p>DATED the ____ day of January, 2025.</p> <p>LEWIS BRISBOIS BISGAARD & SMITH, LLP</p> <p>/s/ <i>Josh Cole Aicklen</i></p> <p>JOSH COLE AICKLEN Nevada Bar No.: 7254 NATHANIEL T. COLLINS Nevada Bar No.: 15027 6385 S. Rainbow Blvd., Ste. 600 Las Vegas, Nevada 89118 Attorneys for Defendant CHASE MICHAEL CAIMI</p>
<p>DATED the <u>6</u> day of January, 2025.</p> <p>WINNER & BOOZE</p> <p>/s/ </p> <p>CHRISTINE M. BOOZE, ESQ. Nevada Bar No. 7610 1117 South Rancho Drive Las Vegas, Nevada 89101 Attorney for Defendant KO TRANSPORTATION, INC.</p>	

ORDER

IT IS SO ORDERED.

Dated this 8th day of January, 2025.


DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

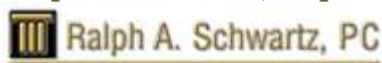
Sims, Tina

From: Ralph Schwartz <RSchwartz@888LAW1.COM>
Sent: Tuesday, January 7, 2025 10:31 AM
To: Collins, Nathaniel; Leslie M. Darnell; Karina Rangel; Christine Booze; Aicklen, Josh Cole
Cc: Michele Schwartz; Vikki Weyandt; Sims, Tina; Ramos, Georgina
Subject: RE: Melchiorre v. Caimi, et al. Discovery and depositions

EXTERNAL

Yes thanks. Ralph

Ralph A. Schwartz, Esquire



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Sent: Tuesday, January 7, 2025 10:25 AM
To: Leslie M. Darnell <ldarnell@winnerfirm.com>; Karina Rangel <krangel@888law1.com>; Christine Booze <cbooze@winnerfirm.com>; Aicklen, Josh Cole <Josh.Aicklen@lewisbrisbois.com>; Ralph Schwartz <RSchwartz@888LAW1.COM>
Cc: Michele Schwartz <mschwartz@888LAW1.COM>; Vikki Weyandt <vweyandt@888law1.com>; Sims, Tina <Tina.Sims@lewisbrisbois.com>; Ramos, Georgina <Georgina.Ramos@lewisbrisbois.com>
Subject: RE: Melchiorre v. Caimi, et al. Discovery and depositions

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Ralph, do we have permission to affix your e-signature?

Thank you.



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From: Leslie M. Darnell <ldarnell@winnerfirm.com>

Sent: Monday, January 6, 2025 8:58 AM

To: Collins, Nathaniel <Nathaniel.Collins@lewisbrisbois.com>; Karina Rangel <krangel@888law1.com>; Christine Booze <cbooze@winnerfirm.com>; Aicklen, Josh Cole <Josh.Aicklen@lewisbrisbois.com>; Ralph Schwartz <RSchwartz@888LAW1.COM>

Cc: Michele Schwartz <mschwartz@888LAW1.COM>; Vikki Weyandt <vweyandt@888law1.com>

Subject: RE: Melchiorre v. Caimi, et al. Discovery and depositions

EXTERNAL

Good Morning Nate,

Attached please find the stipulation and order to extend discovery deadlines, which has been duly executed by Christine Booze.

Should you have any questions, please do not hesitate to contact this office.

Best Regards,